

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**FIELDING VAUGHN KIMERY
ADC #133741**

PLAINTIFF

vs.

4:20CV00473-SWW-JJV

DEXTER PAYNE; *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe [ECF No. 60]. After carefully considering Mr. Kimery's timely filed objections and making a *de novo* review of the record, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Defendant Jackson is dismissed without prejudice from this lawsuit.
2. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting these recommendations would not be taken in good faith.

DATED this 9th day of February, 2021.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE